



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*86 Chambers Street, 3rd floor  
New York, New York 10007*

February 18, 2025

**BY ECF**

The Honorable Jeannette A. Vargas  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007

Re: *State of New York et al. v. Trump et al.*, No. 25 Civ. 1144 (JAV)

Dear Judge Vargas:

This Office represents the defendants in the above-captioned matter. We write to bring to the Court's attention an additional relevant supplemental authority. On February 18, 2025, the district court in *New Mexico et al. v. Musk et al.*, Civil Action No. 25-429 (TSC) (D.D.C.), denied the plaintiffs' motion for a temporary restraining order that would restrain the defendants Elon Musk, the U.S. Department of Government Efficiency ("DOGE") Service, U.S. DOGE Temporary Organization, and President Trump from, among other things, "accessing, copying, or transferring any data systems in the Office of Personnel Management, and the Departments of Education, Labor, Health and Human Services, Energy, Transportation, and Commerce." *See* Ex. A.

We thank the Court for its consideration of this submission.

Respectfully,

MATTHEW PODOLSKY  
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Southern District of New York  
*Attorney for Defendants*

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Encl.